REMARKS

Reconsideration and allowance of the above referenced application are respectfully requested.

The claims under examination stand rejected on the grounds of nonstatutory obviousness type double patenting based on certain enumerated claims of 7,047,136, 6,671,625 or 6,963,806. This rejection has been obviated by the filing of a terminal disclaimer herein.

Claims 1-13 and 16-18 stand rejected under 35 USC 101 as allegedly being directed to non-statutory subject matter. Claim 1 is rewritten to recite a processor that performs the analysis and processes the event in interest. The event of interest is processed in a different way than other events within the arrayed signal pattern. In any case, since Claim 1 now specifically recites the structure that carries out the function (a processor), this obviates the rejection under section 101.

Claims 1-13 and 16-18 apparently are now rejected on the separate ground that there is a product and a process in the same claim. This has been obviated by the claim amendments herein.

Claims 1-13 and 16-18 stand rejected under 35 USC 112, second paragraph, as allegedly being indefinite. The rewriting of these claims obviates this rejection.

Claims 1, 3-6 and 8-10 stand rejected under 35 USC 102(b) as allegedly being anticipated by Cabib et al. This contention is respectfully traversed. Claim 1 defines a processor that performs active interferometric analysis using an expressor function within an arrayed signal pattern via a computationally induced interference mechanism. The rejection states that since Cabib et al. defines an interferometer, it inherently meets these features. However, this contention is respectfully traversed.

Cabib et al., being a two-dimensional interferometer, certainly does have an array. That array is described for example, at column 6 line 42. The information from the array is then processed, to match to interferometry, and for scanning operations. Column 10 illustrates how the detectors are processed. The bottom of column 10 describes Fourier transforming the spectrum of each pixel. Column 11 describes how each pixel is measured with different detectors in the spectrum, as reconstructed by Fourier transformation. Column 12 and 13 describe the optical characteristics of the pixel. The processing of the fringes is also described.

Nowhere is there any description, teaching, or suggestion of even one word about an expressor function. Even if, somehow, the set of equations could be considered to be an expressor function, something which is certainly not correct, Claim 1

further requires a computationally induced interference mechanism. This is wholly different than Cabib et al., who uses an optical interference between elements of the interferometer, not a computationally induced mechanism.

For each of these reasons, it is respectfully suggested that Claim 1 should be in condition for allowance.

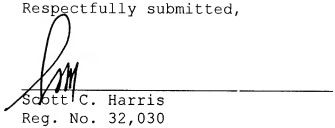
Claims 1-13 and 16-18 stand alternatively rejected over Cabib et al. in view of Garini et al. As explained above, there is absolutely nothing in Cabib et al. which teaches anything about the expressor function used to determine an event within an arrayed signal patterned via a computationally induced interference mechanism. Similarly, Garini et al. teaches nothing about this. Garini et al. teaches a two-dimensional array of detectors 14. Garini reconstructs the scene by Fourier transformation. See the bottom of column 14. The spectral images are analyzed, using a weighting function in equation 2, grayscale imaging and density detection in equations 3 through 5, distance detection and vector detection and others. With all due respect, however, there is not one word about an expressor function used to detect the presence of an event of interest within the array of signal patterned via a computationally induced interference mechanism. Quite simply, Garini et al. teaches nothing about this.

Accordingly, the hypothetical combination of Cabib et al. in view of Garini et al. would similarly not teach or suggest any such feature.

It is believed that all of the pending claims have been addressed in this paper. However, failure to address a specific rejection, issue or comment, does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above are not intended to be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

Applicant asks that all claims be allowed. Please apply the $65 statutory disclaimer fee, and any credits or additional charges, to deposit account 06-1050.

Respectfully submitted,



Date: June 21, 2007

Scott C. Harris
Reg. No. 32,030

Fish & Richardson P.C.
PTO Customer No. **20985**
(858) 678-5070 telephone
(858) 678-5099 facsimile

10747297.doc